IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Writ Petition No.4667 of 2007
[C.D. Hande Vs. Headmistress, Jawaharlal Darda Eng. Medium School & Jr. College & another]

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr. P.H. Gulhane, Advocate for the petitioner.

CORAM : A.H. JOSHI AND
R.C.CHAVAN,JJ.

DATE : 09th October,2007.

1. Heard.

2. Knowing fully well that petitioner has lesser marks than necessary for admission to Science Faculty, the petitioner's daughter has applied. The admission was granted. However, in the scrutiny by the Education Department, it was noticed that she was not eligible for admission. Accordingly, the petitioner has been communicated cancellation of admission by letter dated 13th August, 2007 [Annex.A, page 16].

3. The petitioner has challenged this communication. It is clear that cancellation of admission is on the ground of lack of eligibility.

4. The challenge is raised on the ground of violation of principles of natural justice and rule of law etc., which, in our view, do not apply. We find no substance in these contentions. Petition has no merit, and it is liable to be dismissed.

5. At this stage, learned Advocate Mr. Gulhane for the petitioner prays that if the petitioner's daughter wants to take admission to any other faculty to which she be eligible, the cut off date for admission should not come in her way and her application be considered by ignoring the cut off date. If the petitioner's daughter applies and if a seat is available, Educational Institution and Officers of the Department should not obstruct her admission on the ground of delay in acquiring admission, and may consider her application if it is permissible to condone the delay and deficiency in attendance.

6. With above observations, petition is disposed of.

Judge **Judge**

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